

## **Washington Parents demand that State Leaders Comply with Title IX**

To: Legislators, Washington State House and Senate

From: David Spring M. Ed., Director, Washington Parents Network

**Re: Washington State failure to comply with Title IX**

Dear Legislator,

The Washington Parents Network is an association of more than 2,700 parents here in Washington state. We maintain that our rights and duties as parents come not from the state legislature but are **inalienable rights** that come directly from God. We are concerned that, over the last decade, the Washington State legislature has passed many laws that violate our inalienable parental right to care for and be directly involved in making decisions for our minor children – who are not yet developmentally able to comprehend the long term consequences of their own decisions.

I am writing to ask for your help in making the legislature and other state leaders aware of the fact that **many Washington state laws and policies are in direct violation of a federal called Title IX intended to give girls equal opportunities in educational and athletic programs that receive federal funds.** As just one example, **Title IX protects the right of girls to have their own sports leagues** in order to create a fair and level playing field for girls to be given equal opportunities to compete and succeed in sports, in education and in life. Our members strongly support Title IX.

Sadly, for many years, Washington state has violated Title IX by allowing biological males to compete in girls sports. Washington state politicians, led by Bob Ferguson and Chris Reykdal, falsely claimed that Washington state was not violating Title IX because, according to their convoluted reasoning, Title IX required allowing biological males to compete in girls sports – even though the clear intent of Title IX was the exact opposite of their claims. On January 9, 2025, this false interpretation of Title IX was rejected by a federal court order. In addition, the Trump administration has pledged to uphold Title IX and withhold federal funds from any state failing to comply.

Sadly, on February 7, 2025, OSPI issued a 9 page bulletin called **Guidance on Returning to the 2020 Title IX Rules which once again fails to comply with Title IX. This places Washington state at risk of losing billions of dollars in federal funds. We ask that you read and share our report and join us in demanding compliance with Title IX.**

## **Recent Important Legal Rules clarifying the meaning of Title IX**

In 2024, the Biden administration attempted to rewrite Title IX to transform it from a law protecting girls rights into a law protecting “gender identity” rights – with the term “gender identity” including biological males who wanted to pretend to be girls.

This dramatic change in Title IX was litigated by 26 states with numerous federal courts concluding that **Title IX was intended to protect girls rights and not gender identity rights.**

On August 16, 2024, in an opinion combining the cases, Dept of Education v Louisiana and Cardona v Tennessee, the US Supreme Court ruled unanimously that three provisions of the Biden Final Rule were illegal. These were: #1 The requirement that Trans Rights replace Girls Rights. #2 The requirement that Trans males be allowed in Girls Bathrooms & Locker Rooms. #3 Requiring the use of specific pronouns violates the First Amendment rights of teachers & students. Here is a link to their order: [https://www.supremecourt.gov/opinions/23pdf/24a78\\_f2ah.pdf](https://www.supremecourt.gov/opinions/23pdf/24a78_f2ah.pdf)

Here is a quote from this decision: *“All Members of the Court accept that the plaintiffs were entitled to preliminary injunctive relief as to three provisions of the rule, including the central provision that newly defines sex discrimination to include discrimination on the basis of sexual orientation and gender identity... Every Member of the Court agrees respondents are entitled to interim relief as to three provisions of that Rule: 34 CFR §106.10 (2023) (defining sex discrimination), §106.31(a)(2) (prohibiting schools from preventing individuals from accessing certain sex-separated spaces consistent with their gender identity), and §106.2’s definition of hostile environment harassment. “*

On January 9, 2025, a federal court in Tennessee v Cardona vacated the 2024 Biden Title IX Final Rule – returning all 50 states to the original meaning of Title IX – that **the term “sex” means biological sex and not gender identity.** Here is a link to this 15 page ruling: <https://www.tn.gov/content/dam/tn/attorneygeneral/documents/pr/2025/2025-1-title-ix.pdf>

Here are quotes from this ruling: ***“When Title IX is viewed in its entirety, it is abundantly clear that discrimination on the basis of sex means discrimination on the basis of being a male or female.”***

*“As this Court and others have explained, **expanding the meaning of “on the basis of sex” to include “gender identity” turns Title IX on its head.** While Title IX sought to level the playing field between men and women, it is rife with exceptions that allow males and females to be separated based on the enduring physical differences between the sexes... **the entire point of Title IX is to prevent discrimination based on sex—throwing gender identity into the mix eviscerates the statute and renders it largely meaningless.**”*

*“The Final Rule also suffers significant constitutional infirmities. The Court remains persuaded that the Final Rule offends the First Amendment... the Final Rule’s definitions of sex discrimination and sex-based harassment, require Title IX recipients, including teachers, to use names and pronouns associated with a student’s asserted gender identity... Put simply, the First Amendment does not permit the government to chill speech or compel affirmance of a belief with which the speaker disagrees.”*

*“The seriousness of the error weighs heavily in favor of vacating the Final Rule, as it is unlawful on numerous fronts... vacatur of the Final Rule would simply **“cause a return to the status quo” that existed for more than 50 years prior to its effective date.**”*

Note that the January 9, 2025 ruling did not merely return Title IX to the previous Trump Final rule. Instead, it clearly defined the word “sex” as meaning male or female and returned Title IX to its original purpose which was to protect the rights of females - as to interject “gender identity” into Title IX **“eviscerates the statute and renders it largely meaningless.”**

### **President Trump signs Executive Order to withhold federal funds for any state refusing to comply with Title IX**

On February 5, 2025, President Trump signed an Executive Order which states: *“Under Title IX of the Education Amendments Act of 1972 (Title IX), educational institutions receiving Federal funds cannot deny women an equal opportunity to participate in sports... Therefore, **it is the policy of the United States to rescind all funds from educational programs that deprive women and girls of fair athletic opportunities.**”*

Here is a link to this order:

<https://www.whitehouse.gov/presidential-actions/2025/02/keeping-men-out-of-womens-sports/>

## Washington State ongoing Failure to comply with Title IX

The August 16, 2024 US Supreme Court ruling combined with the January 9<sup>th</sup> federal court ruling finally ended the 8-year legal farce of Bob Ferguson and Chris Reykdal that Title IX was about gender identity rights rather than girls rights. Washington State leaders should have immediately amended state rules and laws to bring them into compliance with Title IX – as failure to comply with Title IX could result in the loss of billions of dollars in federal education funding.

Instead, there are bills in the Washington State House and Senate, **neither of which would bring Washington into compliance with Title IX**. Senate Bill 5012 filed by Senator Phil Fortunato (R-Auburn) filed a bill that would divide 5th-12th grade school sports into five categories based on chromosomes and gender identity. As of February 21, 2025, this bill has not been given a hearing. Here is a link to this bill:

<https://app.leg.wa.gov/BillSummary/?BillNumber=5012&Year=2025&Initiative=false>

There are at least three problems with this bill. First, Title IX does not limit the rights of girls to fair educational and sports opportunities by age. It protects the rights of all girls in public schools – including girls in K through 4<sup>th</sup> Grades. Second, Title IX does not merely protect the rights of girls on Sports fields. It also protects girls long standing rights to privacy in bathrooms and locker rooms. Third, the bill does not include an emergency clause which is needed for the law to take effect immediately in order to avoid loss of federal funds.

In addition, Representative Mike Volz (R – Spokane) introduced House Bill 1699 called **The Defending Equity in Interscholastic Sports Act**, which seeks to protect women's sports in schools across Washington state by allowing school boards to adopt policies prohibiting biologically male students from competing with and against female students.

<https://app.leg.wa.gov/billssummary?BillNumber=1699&Year=2025&Initiative=False>

As of February, 21, 2025, this bill has not been given a hearing. But even if the bill were to pass, it would still result in school districts in Washington state failing to comply with Title IX if the school district fails to adopt a policy protecting girls rights to fair sports opportunities. In addition, it fails to protect girls private spaces and lacks an emergency clause.

To make matters worse, on February 7, 2025, OSPI issued a 9 page bulletin called **Guidance on Returning to the 2020 Title IX Rules**. Here is a link: <https://ospi.k12.wa.us/sites/default/files/2025-02/bulletin-007-25.pdf>

Here is a three paragraph quote from this document:

*“On February 4, 2025, the Department’s Office for Civil Rights (OCR) issued guidance stating that it will begin enforcing Title IX pursuant to the 2020 Title IX Rules, outlined at 34 C.F.R. Part 106 et seq. In this same guidance, OCR further clarified that all open Title IX investigations that were initiated under the 2024 Title IX rules should be “immediately reevaluated to ensure consistency with the requirements of the 2020 Title IX Rule and the preexisting regulations at 34 C.F.R. 106 et seq.”*

***“Notably, the 2020 Rule expressly protects people, regardless of gender identity or sexual orientation (2020 Rule at 30178).”***

*“Washington state law expressly prohibits discrimination based on sexual orientation, gender identity, and gender expression. The court’s order vacating the 2024 Title IX rules does not impact Washington schools’ obligations to prohibit discrimination based on these legally protected classes. Washington law, at Chapter 28A.640 RCW and 392-190 WAC, also prohibits sex discrimination, including sexual harassment, in schools.”*

The OSPI document then provides 7 pages detailing how the 2020 Trump Rule is different from the 2024 Biden Rule regarding the process for resolving sexual harassment complaints.

**Sadly, the claim that: “Notably, the 2020 Rule expressly protects people, regardless of gender identity or sexual orientation (2020 Rule at 30178).” is false.**

Here is a link provided in the document to **2020 Rule at 30178**:

<https://www.federalregister.gov/documents/2020/05/19/2020-10512/nondiscrimination-on-the-basis-of-sex-in-education-programs-or-activities-receiving-federal>

This is a link to a several hundred page document, leaving it to the reader to scroll down through hundreds of pages of regulation to find the 2020 Rule at page number 30178.

Scrolling down to page 30177, the Section begins with the title **Gender-based Harassment**.

Here is a quote:

*“The word “sex” is undefined in the Title IX statute. The Department did not propose a definition of “sex” in the NPRM and declines to do so in these final regulations. The focus of these regulations remains prohibited conduct... Thus, any individual—irrespective of sexual orientation or gender identity—may be victimized by the type of conduct defined as sexual harassment.”*

***“Title IX and its implementing regulations include provisions that presuppose sex as a binary classification, and provisions in the Department's current regulations, which the Department did not propose to revise in this rulemaking, reflect this presupposition.”***

*“In promulgating regulations to implement Title IX, the Department expressly acknowledged physiological differences between the male and female sexes... For example, the Department's justification for not allowing schools to use “a single standard of measuring skill or progress in physical education classes . . . **[if doing so] has an adverse effect on members of one sex**” [796] was that “if progress is measured by determining whether an individual can perform twenty-five push-ups, the standard may be virtually out-of-reach for many more women than men **because of the difference in strength between average persons of each sex.**”*

*“defining sex is not necessary to effectuate these final regulations. These final regulations primarily address a form of sex discrimination—sexual harassment—that does not depend on whether the definition of “sex” involves solely the person's biological characteristics or whether a person's “sex” is defined to include a person's gender identity. **Anyone may experience sexual harassment, irrespective of gender identity or sexual orientation.***

*“The Department acknowledged physiological differences based on biological sex in promulgating regulations to implement Title IX with respect to physical education... **These final regulations concern sexual harassment and not the participation of individuals, including transgender individuals, in sports or other competitive activities.**”*

In short, the 2020 Trump Final Rule does not align with the Reykdal claim that **“The 2020 Rule expressly protects people, regardless of gender identity or sexual orientation (2020 Rule at 30178).”**

Instead, the Trump Final Rule simply clarifies the process for filing claims of sexual harassment. It makes no determination on whether Gender Identity is included or is not included in the definition of “sex” as defined by Title IX.

But that does not mean that the term “sex” as used in Title IX does not have a definition. Instead, the Trump Final Rule, along with numerous federal courts – including the US Supreme Court – uses the plain ordinary **meaning of the word “sex” as it existed in 1975 when Title IX was passed by Congress.** In 1975, the word “sex” meant biological sex and the term “gender identity” did not even exist.

The 2020 Trump Final Rule does protect people, regardless of gender identity, but only as the protection relates to sexual harassment. **In all other aspects, such as allowing boys in the girls bathrooms or boys in girls sports, the Trump Final Rule, along with numerous federal courts – including the US Supreme Court relies on the plain meaning of sex – meaning biological males or females.**

As the January 2025 federal court ruling stated: ***“throwing gender identity into the mix eviscerates the statute and renders it largely meaningless.”*** Therefore, all Washington state laws and policies and rules, including WIAA rules, allowing biological males in girls sports are contrary to the intent of Title IX as they render girls rights meaningless.

In addition, as the January 2025 federal court also noted: *“Put simply, the First Amendment does not permit the government to chill speech or compel affirmance of a belief with which the speaker disagrees in this manner.”*

Therefore, all Washington state laws, rules or policies that require a student or teacher to use pronouns based on gender identity violate the First Amendment of the US Constitution.

More than a dozen federal courts have ruled this to be the case in the past 10 months. Yet nowhere in Reykdal’s Guidance letter does he even mention either changing policies on males in girls bathrooms, males in girls locker rooms, males in girls sports or restricting the use of pronouns.

Instead, more than a month has passed since the January 9, 2025 federal court order and Washington state still is not on compliance with Title IX.



## **Why Trans Drugs are neither safe or effective**

Proponents of Transgenderism falsely claim that giving minors Trans drugs is safe. In fact, Trans drugs such as puberty blockers and cross sex hormones are so toxic that they cause permanent sterility. A 9 year study from the world's largest Transgender clinic in the United Kingdom found that 98% of children who were administered puberty blockers went on to take cross-sex hormones and 100% of those taking cross sex hormones became sterile. The same UK study found no improvement in the mental health of the victims. Instead, the study confirmed that those taking Trans Drugs reported increased thoughts of suicide. After a year on puberty blockers, there was a significant increase found in those answering the statement "I deliberately try to hurt or kill myself". See

<https://acped.org/topics/sexuality-issues-of-youth/gender-confusion-and-transgender-identity/deconstructing-transgender-pediatrics>

Trans drugs are so toxic that they cause brain tumors. In July 2022, the Food and Drug Administration (FDA) in the US issued a warning label about the risk of puberty blockers after six minors (ages 5-12) experienced severe symptoms of tumor-like masses in the brain.

Trans drugs are so toxic that they cause cancer. Several studies have linked cross sex hormones to huge increases in cancer rates. Giving girls huge amounts of testosterone has been linked to tumors. In 2019, a study was published of more than 3,000 minors given hormone drugs. The study confirmed that the risk of breast cancer rose 46 times (4,600 percent) in boys subjected to huge amounts of estrogen.

<https://www.bmj.com/content/bmj/365/bmj.l1652.full.pdf>

Cross-sex hormones are also associated with a fourfold increase in heart attacks in biological females, and a threefold increase in the venous thromboembolism in biological males (Alzahrani, [2019](#); Nota et al., [2019](#))

Proponents of Trans Drugs also falsely claim that they are effective at reducing the rate of suicide of gender confused children. In fact, rather than reducing the suicide rate, giving kids Trans drugs actually increases their suicide rate. A 10 year study from Sweden showed that individuals who were subject to gender transition surgery had suicide rates almost 20 times higher than Individuals not given surgery. Here is the link to this study:

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0016885>




Below is a table of adverse outcomes compared to normal controls:

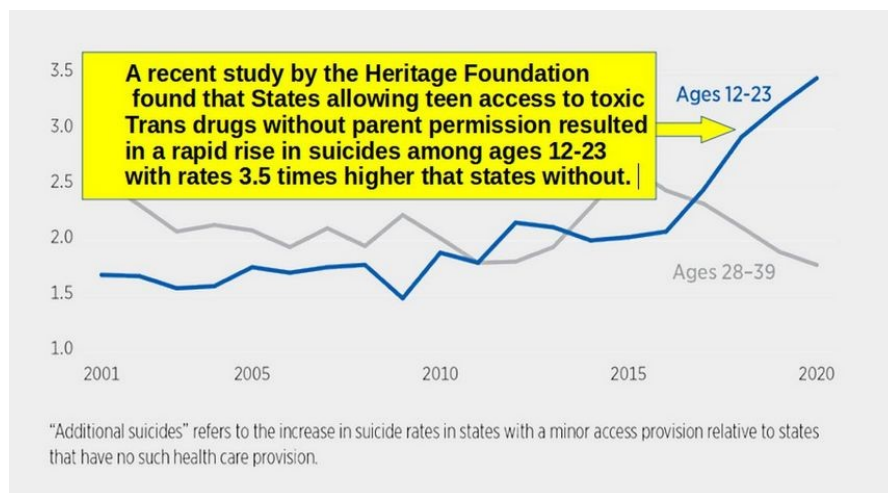
**2011 Sweden study confirms increased risk of suicide, heart disease, drug abuse and committing a major crime!**

		Cases	Controls	
Any death	27/99	7.3 (5.0-10.6)	2.5 (2.0-3.0)	2.9 (1.9-4.5)
Death by suicide	10/5	2.7 (1.5-5.0)	0.1 (0.1-0.3)	19.1 (6.5-55.9)
Death by cardiovascular disease	9/42	2.4 (1.3-4.7)	1.1 (0.8-1.4)	2.6 (1.2-5.4)
Death by neoplasm	8/38	2.2 (1.1-4.3)	1.0 (0.7-1.3)	2.1 (1.0-4.6)
Any psychiatric hospitalisation <sup>‡</sup>	64/173	19.0 (14.8-24.2)	4.2 (3.6-4.9)	4.2 (3.1-5.6)
Substance misuse	22/78	5.9 (3.9-8.9)	1.8 (1.5-2.3)	3.0 (1.9-4.9)
Suicide attempt	29/44	7.9 (5.5-11.4)	1.0 (0.8-1.4)	7.6 (4.7-12.4)
Any accident	32/233	9.0 (6.3-12.7)	5.7 (5.0-6.5)	1.6 (1.1-2.3)
Any crime	60/350	18.5 (14.3-23.8)	9.0 (8.1-10.0)	1.9 (1.4-2.5)
Violent crime	14/61	3.6 (2.1-6.1)	1.4 (1.1-1.8)	2.7 (1.5-4.9)

**Look at Far right Column!**



Look at the far right column in the above table to see the risk ratio for transgender adults compared to control adults. For example, those who had gender mutilation surgery were 19.1 more times likely to commit suicide and 3 times more likely to abuse drugs or commit a violent crime. No rational caring person would approve of sending any child down such a horrible path. Nor is this study unique. States that started giving kids Trans Drugs in the past 9 years have seen a dramatic rise in the number of suicides between the ages of 12 to 23 to the point that the rate is now 3 and a half times higher than in states where kids are not given trans drugs. <https://www.heritage.org/gender/report/puberty-blockers-cross-sex-hormones-and-youth-suicide>



While giving kids toxic drugs increases the suicide rate, giving them counseling reduces the suicide rate. A 2019 review of 40 studies on counseling found that 37 (92%) concluded that counseling reduces both suicidal thoughts and suicide attempts.

<https://www.frontiersin.org/journals/psychology/articles/10.3389/fpsyg.2019.00277/full>

This combination of studies showing that drugs do not work while counseling does work led Sweden to move away from recommending gender mutilation drugs and towards counseling as the best option for minors. Sweden concluded the risks of puberty blockers and sex hormones outweigh any benefits. <https://pubmed.ncbi.nlm.nih.gov/37069492/>

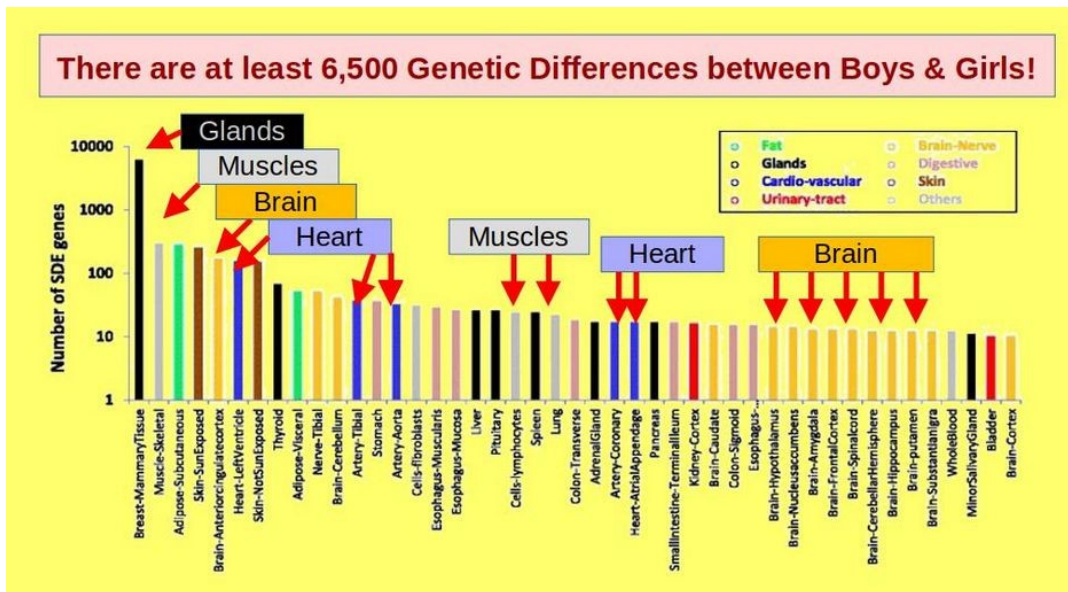
In addition, in April 2024, a several hundred page study called the Cass Review found that Trans curriculum was extremely harmful to child development. The study was written by Dr Hilary Cass, past president of the Royal College of Pediatrics and Child Health. Here is a link to this study: <https://cass.independent-review.uk/home/publications/final-report/>

### **Why Trans Drugs and Gender Mutilation Increase the Suicide Rate**

The reason Trans Drugs and Gender Mutilation increase the suicide rate is that the entire Trans Drug Cult is based on a fundamental lie – namely, the false claim that by taking Trans Drugs and chopping off body parts, a child can be magically changed from a girl to a boy or a boy to a girl. It may take the child 10 to 20 years to realize that they have been lied to and that these lies have destroyed their lives. But when they do finally realize that their dream of changing to the other sex is simply not possible, at least some will elect to end their life. The odds of this terrible outcome are increased by failing to give the person the counseling they need to help them address their underlying mental health problems that caused them to want to be the other sex in the first place.

### **Why it is not biologically possible to change into the other sex**

The reason it is not possible to change into the other sex, no matter how many drugs a child is given, is that there are at least 6,500 genetic differences between human males and females. Over 30 different areas of the body are affected by these 6,500 differences. Here is a link to a 2017 study: <https://bmcbiol.biomedcentral.com/articles/10.1186/s12915-017-0352-z>



All of these 6,500 variations are at the cellular level – meaning they affect nearly every cell in the body including every neuron in a person’s brain. Therefore altering the concentration of a single hormone still leaves 6,499 genetic differences. Put in plain English, it is not biologically possible to turn a male into a female or vice versa. Children who wish to change from one sex to the other deserve to be told this fundamental biological truth. Parents and teachers who currently think it is possible to change a child’s sex by giving them drugs and chopping off their body parts also need to be told this fundamental biological truth.

### **Lawsuits from Detransitioners will likely cost Washington Taxpayers Tens of Billions of Dollars**

Recent CDC surveys as well as recent Washington State Healthy Youth surveys indicate that about 3% of students in Washington state have fallen victim to the Trans Drug Cult. There are over one million students in K12 schools in Washington state. Thus, there are about 30,000 or more students in Washington state who are currently being put on a deadly track that will eventually wind up in them becoming sterile and addicted to toxic Trans drugs. It is likely that more than **50% or more of these kids will eventually regret becoming addicted to Trans Drugs.** Unfortunately, once a person has been sterilized by the Trans Drugs, there is no going back. Many of these Trans Cult victims, who are called **Detransitioners**, are likely to sue the State of Washington for failing to tell them the truth that it is not possible to change into the other sex – and therefore ruining their lives.

In a preview of the tidal wave of litigation about to occur over this issue, several formerly Trans kids have filed lawsuits asking for damages for the harm that was inflicted on them due to the Transgender lies they are told while they were minors. Currently, the lawsuits are against either individual doctors (**who made millions of dollars in giving kids toxic drugs and sterilizing surgeries**). In one case, the lawsuit is against the American Academy of Pediatricians (AAP) which also makes millions of dollars pushing the Drug Cult agenda. It is likely that over time additional plaintiffs will be named. This may include **teachers** who brainwashed kids into transitioning and **school boards** who promoted the Trans Drug Cult. Defendants may also include State Superintendent Chris Reykdal and State Attorney General Bob Ferguson. Imagine 30,000 such cases here in Washington State – each asking for one million dollars in damages. **The total could exceed \$30 billion dollars – an amount we the tax payers would be on the hook to pay.**

I have written an article reviewing 8 of these Detransitioner lawsuits which you can read at the following link:

<https://washingtonparentsnetwork.com/trans-drug-cult/part-ii/9-trans-cult-survivors-file-lawsuits-against-the-trans-drug-cartel>

For each case, we include the date filed, the name of the case and a link to the complaint with a couple of quotes from the complaint. What is important about all ten of these complaints is that each victim suffered from adverse childhood events that led to serious mental health problems before being brainwashed into transitioning – under the promise that taking Trans Drugs would resolve their mental health problems. But in each case, the drugs only made their mental health problems worse. In every case, instead of providing the child with counseling, they were given toxic drugs instead.

As these cases go to trial, we are also learning more about the dark secrets of the Transgender Drug Cartel. It is an ugly story of greed and disregard for the well being of vulnerable children. While Trans Drug companies make billions of dollars selling trans drugs and Trans Doctors make millions of dollars doing Trans Gender Mutilation surgeries, tens of thousands of kids are left to deal with a lifetime of cancer and regret. These kids deserve more than a day in court and a financial settlement. We owe it to these kids to end this child abuse and put the perpetrators of this horrendous crime behind bars.

It may take years before the real harm of giving Trans Drugs to minors is finally exposed. But the cancer rates and tumor rates will eventually be exposed. When this happens, I am certain that giving Trans Drugs to minors will be banned in all 50 states – just as giving cigarettes or alcohol to minors is banned in all 50 states. The only question is whether the Washington state legislature will ban these toxic drugs before or after paying out tens of billions of dollars in damages to victims of the Trans Drug Cult.

### **Wait – Didn't two federal judges just put an Injunction against the Trump order that placed a national ban on giving kids Trans drugs?**

While federal judges in Seattle and Baltimore did grant temporary injunctions against the Trump ban on toxic Trans drugs, there were several Red Flags with their rulings. First and most obvious, both judges were recently appointed by Joe Biden. Second, the Plaintiffs deliberately filed in the only two Circuit Courts that have ruled that Transgenderism is a “protected class.” This is called Judge Shopping to get a favorable ruling in order to mislead people.

One of those cases, called *Kadel*, has been appealed to the US Supreme Court. As the Department of Justice brief stated: *“Petitions for certiorari in Kadel are currently pending before the Supreme Court. The Supreme Court’s disposition of those petitions may be affected by its forthcoming decision in United States v. Skrametti, No. 23-477 (U.S.), concerning whether other state laws regarding similar treatments violate the Equal Protection Clause.”*

The Fourth Circuit and the Ninth Circuit recently ruled that Transgenderism is a “protected class” under Title IX. However, many other circuits have ruled that Transgenderism is not a protected class. See for example Tennessee v Cardona decided in January 2025. Also see Eknes-Tucker v. Governor of Alabama, 80 F.4th 1205, 1228 (11th Cir. 2023). It is highly likely that the US Supreme Court *Skrametti* case will rule that Transgenderism is not a protected class in the next couple of months. Here is a link to the US Supreme Court 46 page petition for review of Kadel v Falwell filed on July 26, 2024 and explaining in detail why Transgenderism is not a protected class: [https://www.supremecourt.gov/DocketPDF/24/24-99/321053/20240729152921002\\_2024-07-26%20FINAL%20Kadel%20cert%20petition.pdf](https://www.supremecourt.gov/DocketPDF/24/24-99/321053/20240729152921002_2024-07-26%20FINAL%20Kadel%20cert%20petition.pdf)



In short, in December 2024, a 6 to 3 majority of the US Supreme Court indicated in oral arguments in the Skrmetti case that Transgenderism is not a protected class. We are simply waiting for their written opinion. Once this is published, all cases in the Fourth and Ninth Circuit based on the protected class claim will be reversed – including the Seattle and Baltimore injunctions.

The reason Transgenderism can not possibly be a protected class is that all three existing protected classes, namely Race or Skin Color, Country of Origin and Biological Sex are based on “enduring characteristics that can not be changed.” Because Transgenderism can change from one day to the next, it is not a protected class. The Seattle and Baltimore injunctions were simply a waste of tax payers money.

### **Biological Male wins Washington State Girls Track Championship**

Failure to comply with Title IX has caused serious harm to girls here in Washington state. For example, in May 2024, a biological male was allowed to compete in and win the Washington State Girls Track championship:



### **Tumwater girl injured by Biological Male in Girls Basketball Game**

Just a couple of weeks ago, a biological girl was injured by a biological male that was much bigger and stronger then she was in a Tumwater High School basketball game.

This incident started in 2024, when a 14 year old biological girl basketball player named Frances, attending Tumwater High School, just south of the State Capital near Olympia Washington, was traumatized by seeing a large

biological male who at the time was 17 years old in her Girls Locker Room. This was a male who has never taken any Trans drugs but is nevertheless allowed in the Girls Locker Room simply because that is where he prefers to be. The male was a player on an opposing team's Girls Basketball team.

When Frances told her parents about this incident, her parents assured her they would support her decision should she decide she did not want to play basketball against a biological male. Then, on February 6, 2025, the now 15 year old girl saw this same biological male now 18 years old during warmups for her teams final game of the year.

Frances told her mother she would not play against this boy. The girl's mother asked her coach if he was aware that the opposing team had a biological male on the team. The coach replied that he was not allowed to comment about this. The coach said the mother needed to talk to the athletic director.

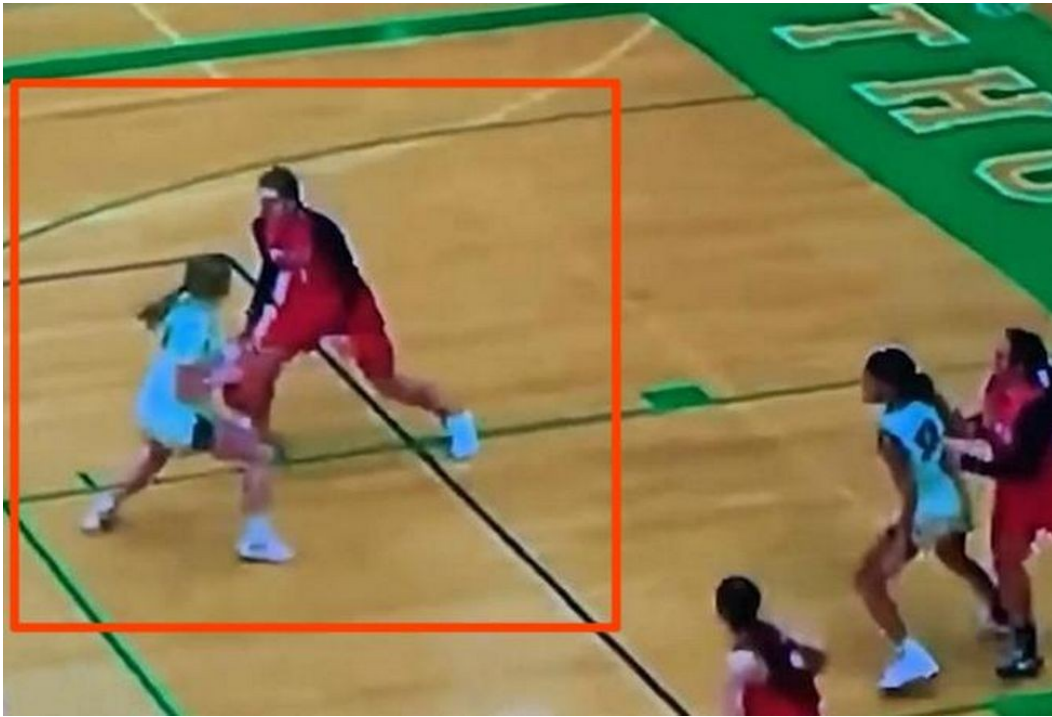
The mother then went to the athletic director who was also at the game and asked if he was aware that the person on the other team was a boy. The athletic director replied that he ***“does not discriminate. We follow WIAA and Washington State law.”***

The mother pointed out that just one day earlier, President Trump had signed an executive order protecting girls from having to compete against biological males. The athletic director replied that ***“We do not have to follow that order. We follow Washington State law.”***

The mother then went back to her seat and asked her 13 year old son to video tape the game so she would have a record of what happened. A male school employee threatened her son who then stopped video taping the game. Frances remained on the bench and watched as one of her team mates was injured by the biological male and was carried off the court crying in pain (see pictures below).

This is a picture of a biological girl in a white jersey in a Tumwater High School Junior Varsity game being forced to play against a much larger and much taller biological male in a red jersey who is pretending to be a girl:





The girl in white is going to attempt to drive the lane and shoot the ball.



She drives past the boy who then basically tackles her like it was a football game. Note that the boy later said it was an accident and perhaps he lost his footing when he knocked the girl down:



The girl fell to the ground and the biological male landed on top of her:



The male was not injured but the girl remained motionless on the ground:



The male got up and helped his teammate get up. But the injured girl remained face down on the ground:



The male briefly looked down at the injured girl and then walked away. Note that **the official, who was a biological female, failed to call a foul on this play – despite the fact that tackling another player is not allowed in a basketball game.**



Even at the professional level, tackling another player in this manner not only would have resulted in a foul being called, but likely a Technical Foul, with the person who committed the foul being tossed out of the game – even if the player who knocked down the other player did it accidentally:



The girl's teammates helped the injured girl get up with the male calmly walking away - as **two officials looked on and did nothing**:



As her teammates helped the injured girl off the court, instead of calling for an injury timeout, **the female referee signaled that the ball was last touched by the injured girl before going out of bounds and therefore belonged to the team the biological male was on:**



Here is the ball being passed from the official in the upper left corner of the picture to the official at the lower right corner of the screen. **None of the three officials called a foul or even called for an injury timeout.** Note that the injured girl is clearly limping as she is being carried off the court by one of her teammates:



This is a picture of the injured girl one second later bending over in pain. **Still no injury time out was called. Even at the professional level, any time a player is injured in a basketball game, an injury timeout is called. So why was an injury timeout not called in this game?:**



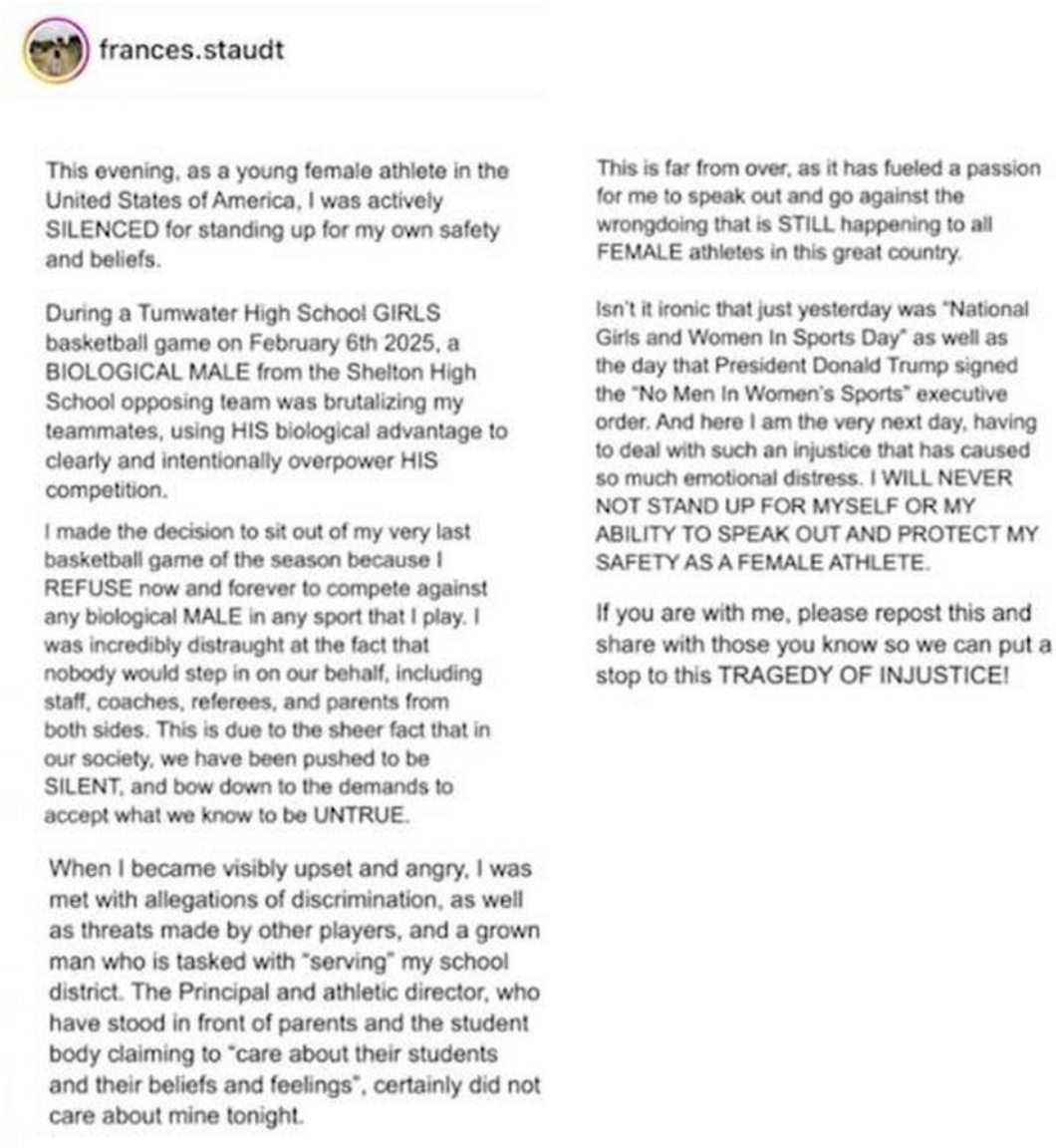
The injured girl is still being helped off the court and her teammates appear to be looking at the official in disgust as he holds the ball for the opposing team.



The above images are a perfect example of why it is not safe to force girls to play against biological males. Here we have an example of a 15 year old girl being forced to play against an 18-year old biological male – a male who has never even taken Trans drugs. His sheer size alone is why the girl was injured.



Even though Frances was on the bench, she got very upset at the male player injuring the female player, who was a friend of hers. From Frances's point of view, the boy had used his large body mass to deliberately knock over her friend. After this incident, Frances looked at the biological male and said "**You are a man.**" Then after the game, she complained about this incident on her social media page. This is the post Frances made:



If you want to listen to an interview of Frances and her mother, click on the following link: <https://www.youtube.com/watch?v=qAya5rarPwQ>

### **This tragic incident raises several serious questions:**

First, why is the Tumwater School District not complying with Title IX? They claim they are following state law instead of federal law, but do they not know that federal law supercedes state law?



Second, why is the WIAA still allowing biological males to compete in girls sports as WIAA is also required to comply with Title IX?

Third, why has the Washington state attorney general and superintendent of public instruction not ordered school districts to comply with Title IX? Failure to follow federal law violates their oath of office.

Fourth, why haven't members of the Washington State legislature demanded that our schools comply with Title IX? Are they not concerned that failing to comply with Title IX will lead to loss of billions of dollars in federal funding – further worsening our school funding crisis – and leading to more school closures and thousands of more teachers being fired?

We are currently entering the Girls Basketball Playoffs during the next several weeks. Sadly, several biological males are illegally competing in these Girls Basketball Playoffs. **How many more girls need to be injured and carried off the court, before we finally end this insanity?**

Even if girls are not injured in the coming weeks, **is it fair to expect girls to compete against males who are clearly much bigger, much stronger and much faster than they are?**

This is why Title IX was passed 50 years ago – to provide fair opportunities for girls to compete in sports and educational programs. It is time for leaders here in Washington state to start complying with Title IX. We at the Washington Parents Network therefore support the following:

**Resolution Demanding Washington State leaders comply with Title IX**

*Whereas on August 16, 2024, the US Supreme Court unanimously agreed that Title IX is intended to protect the rights of biological girls to fair academic and sports opportunities and*

*Whereas, on January 9, 2025, a federal court in Tennessee v Cardona vacated the 2024 Biden Title IX Final Rule – returning all 50 states to the original meaning of Title IX – that the term “sex” means biological sex and not gender identity and*

*Whereas on February 5, 2025, President Trump signed an Executive Order which states: “Under Title IX of the Education Amendments Act of 1972 (Title IX), educational institutions receiving Federal funds cannot deny women an equal opportunity to participate in sports... Therefore, it is*

*the policy of the United States to rescind all funds from educational programs that deprive women and girls of fair athletic opportunities” and*

*Whereas the February 7, 2025 OSPI Title IX Guidance letter fails to end the practice of allowing biological males competing in girls sports and*

*Whereas Bob Ferguson and Chris Reykdal have misled the public and the media by falsely claiming that President Trump failed to comply with the law – when in fact it has been Bob Ferguson and Chris Reykdal who have failed to comply with Title IX for the past eight years and*

*Whereas failure to comply with Title IX is likely to cost Washington schools more than one billion dollars per year in lost federal education funding leading to the firing of thousands of teachers and*

*Whereas existing Washington state laws and policies that do not comply with Title IX do not and can not override federal laws such as Title IX and*

*Whereas numerous scientific studies have confirmed that giving minors Trans Drugs such as puberty blockers and cross sex hormones greatly increases their risk of sterility, cancer, tumors and suicide,*

*Therefore, we call on all Washington State leaders – including state legislators, our state governor, state attorney general and state superintendent - to comply with Title IX by immediately ending males in girls sports, males in girls locker rooms and males in girls bathrooms.*

*For more information on each of these topics, see the following web page: <https://washingtonparentsnetwork.com/news/washington-parents-demand-state-leaders-comply-with-title-ix>*

If you agree that it is time for Washington state to comply with Title IX by ending the ill-advised policy of allowing biological males to participate in girls sports, **please ask your caucus to pass a resolution similar to the above.**

As always, I look forward to your questions and comments.

Regards,

David Spring M. Ed.

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